IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,))
vs.) Case No. 10-3029-02-CR-S-GAF
CHARLES MICHAEL HALL,)
Defendant.)

ORDER

Now pending before the Court is Defendant Charles Michael Hall's Motion for the Court to Find Erroneous the Use of Certain Eighth Circuit Pattern Penalty Phase Instructions and Instead Use Particular, Alternative Instructions (Doc. #212).

On February 11, 2014, United States Magistrate Judge John T. Maughmer issued his Report and Recommendation (Doc. #495). On April 21, 2014, Defendant's Objections to the Report and Recommendation (Doc. #692) were filed.

Upon careful and independent review of the pending motion, Defendant's Objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge John T. Maughmer.

Accordingly, it is hereby ORDERED that Defendant Charles Michael Hall's Motion for the Court to Find Erroneous the Use of Certain Eighth Circuit Pattern Penalty Phase Instructions and Instead Use Particular Alternative Instructions (Doc. #212) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: April 22, 2014